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PATENT
Customer No. 22,852
Attorney Docket No. 05725.0496-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:)
)
Marie-Pascale AUDOUSSET) Group Art Unit: 1751
)
Application No.: 09/443,505) Examiner: M. Einsmann
)
CPA Filed: April 23, 2001)
)
For: COMPOSITION FOR THE)
OXIDATION DYEING OF KERATIN)
FIBRES AND DYEING PROCESS)
USING THIS COMPOSITION)

Mail Stop Appeal Brief--Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER 37 C.F.R. § 1.192

In support of the Notice of Appeal filed February 11, 2004, the period for response extended by the petition and fee filed herewith, and pursuant to 37 C.F.R. § 1.192, Appellant presents in triplicate this brief and encloses herewith a check for the fee of \$330.00 required under 37 C.F.R. § 1.17(c).

This appeal is in response to the rejection dated September 11, 2003, of claims 1-3 and 5-18, which are set forth in the attached Appendix. If any additional fees are required or if the enclosed payment is insufficient, Appellant requests that the required fees be charged to Deposit Account No. 06-0916.

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I. Real Party In Interest

L'Oréal S.A. is the assignee of record.

II. Related Appeals and Interferences

Appellant, Appellant's undersigned legal representative, and the assignee of record know of no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status Of Claims

Claims 1-3 and 5-18 are pending in this application. No claims are allowed. As indicated in the final Office Action dated September 11, 2003, the claims have been finally rejected as follows:

(1) Claims 1-3 and 5-18 have been finally rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,074,438 to Lim et al. ("*Lim*") in view of U.S. Patent No. 5,230,710 to Akram et al. ("*Akram*"); and

(2) Claims 1-3 and 5-18 have been finally rejected under 35 U.S.C. § 103(a) as unpatentable over *Lim* in view of *Akram* and further in view of U.S. Patent No. 4,997,451 to Clausen et al. ("*Clausen*").

IV. Status Of Amendments

No claims have been amended in response to or subsequent to the final Office Action dated September 11, 2003.

V. Summary Of Invention

The present invention relates to a novel and unobvious composition for the oxidation dyeing of keratin fibers comprising, in a medium which is suitable for dyeing, (a) at least one oxidation base chosen from certain substituted para-aminophenols and

the acid addition salts thereof and (b) a coupler chosen from 1,3-bis(β -hydroxyethyl) amino-2-methylbenzene and the acid addition salts thereof. Additionally, this inventive composition does not comprise an oxidation base chosen from pyrimidine, pyrimidine derivatives, 2- β -hydroxyethyl-para-phenylenediamine, the acid addition salts thereof, and 1-(5-amino-2-hydroxyphenyl)ethane-1,2-diol. Specification, page 3, line 17-page 5, line 2. Appellant also discloses and claims a dyeing process using this composition (*id.* at page 5, lines 7-8), as well as, a multicompartment kit comprising the composition (*id.* at page 11, lines 11-14).

Dyeing compositions comprising oxidation dye precursors, also known as oxidation bases, are known in the art for dyeing keratin fibers, such as human hair. *Id.*, page 1, lines 7-10. Oxidation bases are "colorless or weakly colored compounds which, when combined with oxidizing products, can give rise to colored compounds and dyes by a process of oxidative condensation." *Id.*, page 1, lines 10-13. The shades obtained with these oxidation bases can be accentuated by combining them with couplers. *Id.*, page 1, lines 14-17.

Because many oxidation bases and couplers are known by those skilled in the art, it is possible to combine them in various ways to obtain a wide range of colors. *Id.* page 1, lines 18-19. For example, it is known in the art to use 2,6-diaminotoluene derivatives as a coupler, along with various oxidation bases, in compositions for the oxidation dyeing of keratin fibers. *Id.*, page 2, line 9-page 3, line 1. The colorations obtained using these compositions may be highly chromatic; however, the resulting colorations have the drawback of not being resistant, i.e. not sufficiently fast, when

subjected to external agents, such as light, bad weather, washing, permanent waving, perspiration, and rubbing. *Id.* page 3, lines 2-5.

Appellant has found that her inventive compositions are resistant. Specifically, by combining certain substituted para-aminophenols and 1,3-bis(β -hydroxyethyl) amino-2-methylbenzene, the Appellant made it possible to obtain novel dyes capable of providing "intense, highly chromatic colorations which show excellent fastness with respect to various attacking factors." *Id.* at page 3, lines 6-9.

VI. Issues

(1) Whether claims 1-3 and 5-18 are patentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,074,438 to Lim et al. ("*Lim*") in view of U.S. Patent No. 5,230,710 and Akram et al. ("*Akram*"); and

(2) Whether claims 1-3 and 5-18 are patentable under 35 U.S.C. § 103(a) over *Lim* in view of *Akram* and further in view of U.S. Patent No. 4,997,451 to Clausen et al. ("*Clausen*").

VII. Grouping Of Claims

Each claim of this patent application is separately patentable, and upon issuance of a patent will be entitled to a separate presumption of validity under 35 U.S.C. § 282. For convenience in handling this Appeal, however, the claims will be grouped in one group. Thus, pursuant to 37 C.F.R. § 1.192(c)(7), in this Appeal, the rejected claims will stand or fall together.

VIII. Argument

The Office bears the initial burden of establishing a prima facie case of obviousness. In so doing, the Office must demonstrate that three basic criteria have

been met, including that (1) the prior art reference would have suggested or motivated one of ordinary skill in the art to make the claimed invention; and (2) the prior art references could be combined with a reasonable expectation of success. M.P.E.P. § 2143. In the present case, as discussed at length below, the Office has not met its burden of establishing a prima facie case of obviousness. Instead, the Office has failed to show not only a motivation or suggestion to make the claimed invention, but also a reasonable expectation of success in so making.

A. *Lim* in View of *Akram*

The Office has rejected claims 1-3 and 5-18 under 35 U.S.C. § 103(a) over *Lim* in view of *Akram*, for the reasons detailed on pages 2-4 of the Final Office Action dated September 11, 2003. Appellant respectfully disagrees with this rejection.

The Office contends that *Lim* discloses a dyeing composition containing a 2-chloro-4-aminophenol oxidation base and a pyrazolone coupler. *Id.* at p. 3. The Office notes that *Lim*'s compositions can also contain direct dyes, additional p-aminophenol oxidation bases, and additional couplers such as the claimed 2,6-bis(hydroxyethylamino)toluene. *Id.* In the Office's view, some of these additional oxidation bases are included in the present claims. *Id.* The Office does acknowledge, however, that *Lim* does not exemplify a composition, process, or kit which contains the claimed coupler and the claimed oxidation bases. *Id.* Thus, the Office relies on the teachings of *Akram* to cure this deficiency in *Lim*'s disclosure.

The Office alleges that *Akram* teaches that the presently claimed 2,6-bis(hydroxyethylamino) toluene provides improved properties, such as intense colors and resistance to various agents, when used in dye compositions as a coupler. *Id.* at

pp. 3-4. As a result, the Office concludes that it would have been obvious to one of ordinary skill in the art to select 2,6-bis(hydroxyethylamino)toluene for use as a coupler in *Lim*'s compositions. *Id.* at p. 3. The Office reaches this conclusion because *Lim* allegedly teaches the claimed coupler as being suitable for use in its compositions and, further, because *Akram* teaches that the claimed coupler provides beneficial properties. *Id.* Thus, according to the Office, one skilled in the art would have been motivated to select 2,6-bis(hydroxyethylamino)toluene from among the couplers taught by *Lim*, for use in the composition disclosed by *Lim*. *Id.* at 4. Appellant disagrees with the Office's characterization of the references' teachings, as well as the conclusions drawn therefrom, for at least the following reasons.

1. Identification of Each Claimed Limitation is Not Sufficient to Establish A Prima Facie Case of Obviousness

The Office heavily relies on the fact that *Lim* discloses each claimed limitation; however, this fact, by itself, does not satisfy the Office's burden of proving its prima facie case. Indeed, the Federal Circuit has stated that "[m]ost if not all inventions arise from a combination of old elements However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention." *In re Kotzab*, 217 F.3d 1365, 1369-70 (Fed. Cir. 2000) (internal citations omitted).

The Office must set forth evidence that the prior art not only discloses each claimed limitation, but that it also suggests the desirability of the use of the claimed components together. *Id.* at 1370; see also M.P.E.P. § 2143.01. Whether this showing is based on an implicit or express showing in the reference, the Examiner "must provide

particular findings related thereto.” *Id.* (citing *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999)(requiring a “clear and particular” suggestion to combine or modify prior art references). As set forth below, the Office has provided no such evidence in the present case.

Additionally, in *In re Lee*, the Federal Circuit held that “[t]he factual inquiry whether to combine references must be thorough and searching. It must be based on objective evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with.” *In re Lee*, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Indeed, to meet the burden of showing the obviousness of the combination relied upon in the rejection, the Office must show “some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. *Id.* (citing *In re Fritch*, 972 F.2d 1260, 1265 (Fed. Cir. 1992.) The Office, as set forth below, has also not provided such objective evidence regarding the combination of references.

Indeed, instead of setting forth such concrete evidence suggesting the Office’s proposed modifications and combination, the Office gives significant weight to the knowledge of one of ordinary skill in the art. *Office Action*, p. 4 (“[i]t is notoriously well-known in the hair dyeing art to combine several oxidation bases and couplers in oxidative hair coloring compositions.”). Such reliance, however, is not warranted. General knowledge coupled with similar applicability cannot and should not render the present invention obvious. M.P.E.P. § 2143.01(“prior art must suggest the desirability of the combination”). However, the Office relies on both these facts, i.e., that the references teach similar applications (dyeing compositions) and that oxidation bases

and couplers are known in the art to reject the claimed invention. Under this standard, *any* component that is also useful in, for example, shampoo, would be obvious to combine with *any other* component that is also useful in shampoo, even without incentive to combine them. But the law prescribes no such standard. The Office cannot simply use the level of skill in the art “to act as a bridge over gaps in substantive presentations of an obviousness test.” *Al-Site Corp. v. VSI Int’l Inc.*, 174 F.3d 1308, 1324 (Fed. Cir. 1999). Rather, the Office must demonstrate that one skilled in the art could not only identify each claimed limitation in the prior art, but that this same prior art would have also suggested the desirability of the claimed invention.

Moreover, as the Office has admitted, *Lim* primarily praises the benefits of a dyeing composition containing a 2-chloro-4-aminophenol oxidation base and a pyrazolone coupler. See *Abstract*. Notably, not one of these inventive components fall within the scope of the oxidation base and coupler recited in the pending claims. Thus, in order to substantiate the rejection, the Office relies on *Lim*’s teaching of a laundry list of optional oxidation bases and couplers. See *Lim*, col. 5-7 (disclosing optional dye components for use in its compositions).

Specifically, this extensive list contains at least five different classes of optional dye intermediates and/or couplers, at least four of which contain no components which read on the at least one oxidation base recited in the claims. Thus, a vast majority of these optional ingredients do not fall within the scope of Appellant’s at least one oxidation base, and many, such as the pyridimine derivatives and 2-hydroxyethyl-p-phenylenediamine, are actually excluded from Appellant’s claims. See col. 5, lines 30-31-col. 6, lines 46-65. Moreover, as the Office has already acknowledged, *Lim* does not

exemplify a composition, process, or kit as claimed. *Final Office Action*, p. 3. Thus, nothing in *Lim* would have guided one of ordinary skill in the art to select, for example, the claimed at least one oxidation base, from among the many other optional ingredients disclosed by *Lim*.

Appellant recognizes, as the Office has argued, that “[d]isclosed examples and preferred embodiments do not constitute a teaching away from a broader disclosure or nonpreferred embodiments.” *Final Office Action*, page 6. But Appellant is not contending that *Lim* teaches away from the claimed invention. Rather, Appellant submits that it does not suggest to one of skill in the art to make the necessary selections and modifications, alleged by the Office, to arrive at the claimed invention. Again, nothing in *Lim* would have led one of ordinary skill in the art to select the claimed at least one oxidation base from among the myriad of other optional ingredients disclosed in the reference.

Moreover, Appellant is not merely “arguing working examples,” as alleged by the Office. *Id.* Appellant does submit, however, that the fact neither *Lim* nor *Akram* disclose a single example falling within the scope of the present claims is probative and persuasive evidence of whether the claimed invention would have been obvious to one of ordinary skill in the art.

Even if, moreover, *Lim* is combined with *Akram*, this further combination would still not have led one skilled in the art to select the presently claimed at least one oxidation base in place of any of the other multitude of optional components disclosed in *Lim*. Although *Akram* does generally disclose substituted 2,6-diaminotoluene couplers, it does not suggest the use of this coupler with substituted p-aminophenols. Thus, the

odds of selecting the claimed dye components from the teachings of *Lim* and *Akram* would have been remote at best simply based on the number of optional ingredients that fall outside the scope of the presently claimed at least one oxidation base.

Accordingly, for at least the reasons discussed above, as well as the reasons of record, Appellant respectfully submits that no evidence has been presented that supports the Office's proposed modifications and combinations, and request that this rejection be reversed and withdrawn.

2. Improved Dyeing Properties Alone Would Not Have Led One Skilled in the Art to Combine *Lim* and *Akram*

The Office has not presented a convincing line of reasoning as to why a beneficial result would have been produced by combining the ingredients disclosed in *Lim* and *Akram*; thus, the rejection should be reversed and withdrawn. M.P.E.P. § 2144. The Office contends that because *Akram* teaches that 2,6-bis(hydroxyethylamino) toluene improves dyeing properties, one of ordinary skill in the art would have been motivated to select the claimed coupler from among the *multitude* of optional ingredients taught by *Lim*. Final Office Action, pp. 3-4. Appellant disagrees.

As emphasized above, *Akram* does not suggest the use of the claimed at least one coupler with substituted p-aminophenols. Although *Akram* does list 2,6-bis(hydroxyethylamino) toluene as one of its preferred compounds, *Akram* fails to teach, suggest, or even hint that this compound could or should be combined with any of the claimed oxidation bases. Instead, *Akram* lists at least six other developer compounds different that the presently claimed at least one oxidation base which may be combined with the couplers as a oxidation base. *Akram*, col. 9, lines 11-23. Therefore, when

viewing *Lim* together with *Akram*, there are hundreds of possible combinations of oxidation bases and couplers, only one of which could possibly read on the claimed combination. The Office has pointed to no teaching in either reference, nor does Appellant believe it exists, that would have led one of ordinary skill in the art to make this one possible combination from among the hundreds of other possible combinations of oxidation bases and couplers.

Moreover, as discussed in more detail *infra*, just because *Akram* discloses that 2,6-bis(hydroxyethylamino) toluene provides improved dyeing properties, does necessarily mean that these good properties can be retained when combined with the claimed oxidation bases. Indeed, *Akram* teaches that oxidation dyes must meet a number of requirements, but these requirements are not always met. See col. 1, lines 19-35. For example, certain species within the 2,6-diaminotoluene genus are not satisfactory, for example, with respect to the stability of the hair color. Thus, there is no evidence, and the Office has not provided any such evidence, that when 2,6-bis(hydroxyethylamino) toluene is combined with the claimed at least one oxidation base the resultant combination would improve, rather than degrade, the dyeing properties. Accordingly, for at least these reasons, Appellant respectfully requests that this rejection be reversed and withdrawn.

3. A Desire to Modify Shades Would Not Have Motivated One to Combine The Cited References With a Reasonable Expectation of Success

The Office's allegation that the desire to modify colors would have led one of ordinary skill in the art to add "to any or all the claimed aminophenols" is conclusory and improper. Although it is known that color may be modified by adding a coupler to an

oxidation dye precursor and oxidizing agent, varying shades of color, as suggested by the Office, can be achieved by the selection of certain other variables that are part of the process of oxidation dyeing. Thus, while it is true that couplers may be used to modify the shade or color of an oxidation dye composition comprising an oxidation dye precursor, couplers are not the only means for modifying the shade or color of an oxidation dye composition.

Moreover, even structurally similar oxidation bases can result in markedly different colorations. *Claussen*, another reference cited by the Office, confirms this fact. For example, *Claussen* teaches that in the dyeing compositions of the reference two of the presently claimed oxidation bases, 4-amino-2-methylphenol and 4-amino-2-hydroxymethylphenol, “provide *comparatively weaker* and bluer shades that the standard p-aminophenol.” *Claussen*, col. 5, lines 54-56 (emphasis added).

Further, Appellant respectfully directs the Board’s attention to Examples 3 and 4 of the present specification. As reported on page 18 of the present specification, the composition of Example 3 comprising an oxidation base outside the scope of the independent claims (para-aminophenol) and a claimed coupler, was compared with the composition of Example 4 comprising an oxidation base within the scope of the independent claims (4-amino-3-methylphenol) and the same claimed coupler as Example 3. The table set forth on page 18 shows that the comparative composition of Example 3 gives a coloration that is much less fast with respect to the action of shampooing than the colorations obtained using the composition of Example 4.

What is particularly significant about this comparison is that the para-aminophenol oxidation base of comparative Example 3 is not only one of the multitude

of oxidation bases disclosed as optional additional components in *Lim*, but it is also a member of the only class of dye intermediates and/or couplers that contains any components that could read on the claimed at least one oxidation base. Given the general unpredictability of the hair dye art, and the results set forth on page 18 of the present specification, there would not even have been an expectation of success for choosing one para-aminophenol derivative from among the para-aminophenol derivatives disclosed in *Lim*, let alone simply choosing one from among the many optional ingredients disclosed in *Lim*. Thus, for at least this additional reason, Appellant respectfully requests that the Board reverse and withdraw this rejection

B. *Lim* in view of *Akram* and further in view of *Clausen*

The Office has further rejected claims 1-3 and 5-18 under 35 U.S.C. § 103(a) as unpatentable over *Lim* in view of *Akram* as applied to claims 1-3 and 5-18, and further in view of U.S. Patent No. 4,997,451 to Clausen et al. ("*Clausen*"). Appellant respectfully disagrees with this rejection as well.

The Office alleges that *Lim* and *Akram* teach that the "claimed substituted p-aminophenol bases are compatible with the claimed coupler when used in oxidation dyeing compositions and that the claimed coupler has certain advantageous properties. . . ." *Office Action*, p. 7. The Office relies on *Claussen* to provide motivation to select the presently claimed substituted p-aminophenol bases for use in a hair dyeing composition. *Id.* According to the Office, *Claussen* teaches the use of the presently claimed 4-amino-2-methoxymethylphenol as a preferred embodiment. *Id.* Thus, the Office concludes, that it would have been obvious to select a substituted p-aminophenol for use in an oxidative hair dye composition instead of p-aminophenol because p-

aminophenol has poor physiological compatibility and substituted p-aminophenols have outstanding dyeing properties and is a closely related substitute for p-aminophenols. *Id.*

First, as discussed above, *Lim* and *Akram*, fail to provide either the motivation to combine or a reasonable expectation of success for making the combination proposed by the Office. *Claussen*, as relied upon by the Office for its teachings of substituted p-aminophenols does nothing to remedy the deficiencies of the underlying references as it also would not have guided one of ordinary skill in the art to pick and choose from among the many optional ingredients disclosed in *Lim*. Accordingly, for at least this reason, the rejection should be reversed.

Second, Appellant contends that this rejection is improper because the Office has failed to consider the *Claussen* reference in its entirety. The M.P.E.P. mandates that “[a] prior art reference must be considered in its entirety, i.e. as a *whole*, including portions that would lead away from the claimed combination. M.P.E.P. § 2141.02 (emphasis in the original). In this case, the *Claussen* reference actually teaches away from the use of other substituted p-aminophenols. As briefly discussed *supra*, *Claussen* states that in the compositions of the reference two of the presently claimed compounds, 4-amino-2-methylphenol and 4-amino-2-hydroxymethylphenol, “provide comparatively weaker and bluer shades than the standard p-aminophenol.” *Claussen*, col. 5, lines 54-56. While, in contrast, its claimed 4-aminophenol derivatives provide the same color shades and a comparable color depth as p-aminophenol. *Id.*, lines 57-59.

Moreover, *Claussen* further states that even structurally similar compounds, such as the presently claimed 4-amino-3-methylphenol results in “considerably reduced color depth” than their claimed 4-aminophenol derivatives. *Id.*, lines 60-63. Thus, contrary to

the Office's belief, *Claussen* provides no basis for the use of substituted p-aminophenols. Rather, it specifically teaches a narrow class of 4-aminophenol derivatives, and teaches away from the use of other substituted p-aminophenols. Thus, *Claussen* provides no basis for maintaining a § 103(a) rejection because one skilled in the art would have had no motivation to make the proposed modification. Accordingly, for at least this reason, Appellant respectfully requests that the Office withdraw this improper rejection.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 1, 2004

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Appendix - Pending Claims

1. A composition for the oxidation dyeing of keratin fibres comprising, in a medium which is suitable for dyeing:

(a) at least one oxidation base chosen from 4-amino-3-methylphenol, 4-amino-3-fluorophenol, 4-amino-3-hydroxymethylphenol, 4-amino-2-methylphenol, 4-amino-2-hydroxymethylphenol, 4-amino-2-methoxymethylphenol, 4-amino-2-aminomethylphenol, 4-amino-2-(β -hydroxyethylaminomethyl)phenol and 4-amino-2-fluorophenol, and an addition salt thereof with an acid; and

(b) a coupler chosen from 1,3-bis(β -hydroxyethyl) amino-2-methylbenzene and an addition salt thereof with an acid;

wherein said composition does not include an oxidation base chosen from pyrimidine, pyrimidine derivatives, 2- β -hydroxyethyl-para-phenylenediamine, an addition salt thereof with an acid, and 1-(5-amino-2-hydroxyphenyl)ethane-1,2-diol.

2. The composition according to claim 1, wherein the keratin fibers are human keratin fibers.

3. The composition according to claim 2, wherein the human keratin fibres are hair.

4. (Canceled)

5. The composition according to claim 1, wherein the oxidation base is present in said composition in an amount ranging from 0.0005 to 12% by weight relative to the total weight of the composition.

6. The composition according to claim 5, wherein the oxidation base is present in said composition in an amount ranging from 0.005 to 6% by weight relative to the total weight of the composition.

7. The composition according to claim 1, wherein the coupler is present in said composition in an amount ranging from 0.001 to 10% by weight relative to the total weight of the composition.

8. The composition according to claim 7, wherein the coupler is present in said composition in an amount ranging from 0.01 to 5% by weight relative to the total weight of the dye composition.

9. The composition according to claim 1, further comprising at least one additional coupler other than 1,3-bis(β -hydroxyethyl)amino-2-methylbenzene and an addition salt thereof with an acid.

10. The composition according to claim 9, further comprising at least one direct dye.

11. The composition according to claim 1, further comprising at least one direct dye.

12. The composition according to claim 1, wherein the addition salt with an acid is chosen from a hydrochloride, a hydrobromide, a sulphate, a tartrate, a lactate, and an acetate.

13. A process for dyeing keratin fibres comprising the steps of 1) applying to said fibers at least one dye composition, and 2) developing a color at acidic, neutral or alkaline pH with the aid of an oxidizing agent which is added to the dye composition only at the time of use, or which is present in an oxidizing composition that is applied

simultaneously with the dye composition or sequentially after application of the dye composition, said at least one dye composition comprising, in a medium which is suitable for dyeing:

(a) at least one oxidation base chosen from 4-amino-3-methylphenol, 4-amino-3-fluorophenol, 4-amino-3-hydroxymethylphenol, 4-amino-2-methylphenol, 4-amino-2-hydroxymethylphenol, 4-amino-2-methoxymethylphenol, 4-amino-2-aminomethylphenol, 4-amino-2-(β -hydroxyethylaminomethyl)phenol and 4-amino-2-fluorophenol, and an addition salt thereof with an acid; and

(b) a coupler chosen from 1,3-bis(β -hydroxyethyl) amino-2-methylbenzene and an addition salt thereof with an acid;

wherein said composition does not include an oxidation base chosen from pyrimidine, pyrimidine derivatives, 2- β -hydroxyethyl-para-phenylenediamine, an addition salt thereof with an acid, and 1-(5-amino-2-hydroxyphenyl)ethane-1,2-diol.

14. The process according to claim 13, wherein the keratin fibres are human keratin fibres.

15. The process according to claim 14, wherein the human keratin fibres are hair.

16. The process according to claim 13, wherein the oxidizing agent present in the oxidizing composition is chosen from hydrogen peroxide, urea peroxide, alkali metal bromates, persalts, peracids, and enzymes.

17. The process according to claim 16, wherein the persalts are chosen from perborates, percarbonates and persulphates.

18. A multi-compartment dyeing kit comprising a first compartment that contains a dye composition for the oxidation dyeing of keratin fibres comprising, in a medium which is suitable for dyeing:

(a) at least one oxidation base chosen from 4-amino-3-methylphenol, 4-amino-3-fluorophenol, 4-amino-3-hydroxymethylphenol, 4-amino-2-methylphenol, 4-amino-2-hydroxymethylphenol, 4-amino-2-methoxymethylphenol, 4-amino-2-aminomethylphenol, 4-amino-2-(β -hydroxyethylaminomethyl)phenol and 4-amino-2-fluorophenol, and an addition salt thereof with an acid; and

(b) a coupler chosen from 1,3-bis(β -hydroxyethyl) amino-2-methylbenzene and the addition salts thereof with an acid;

wherein said composition does not include an oxidation base chosen from pyrimidine, pyrimidine derivatives, 2- β -hydroxyethyl-para-phenylenediamine, an addition salt thereof with an acid, and 1-(5-amino-2-hydroxyphenyl)ethane-1,2-diol, and

a second compartment that contains an oxidizing composition.